

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -SEPTEMBER 15, 2009- -7:30 P.M.

Mayor Johnson convened the regular meeting at 7:52 p.m.
Councilmember Gilmore led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers deHaan, Gilmore,
Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

(09-343) Mayor Johnson announced that the Resolutions of Appointment [paragraph no. 09-344] would be addressed first.

REGULAR AGENDA ITEMS

(09-344) Resolution No. 14384, "Appointing Robert McKean as a Member of the Economic Development Commission." Adopted.

(09-344 A) Resolution No. 14385, "Appointing Bruce C. Reeves as a Member of the Economic Development Commission." Adopted; and

(09-344 B) Resolution No. 14386, "Appointing Mathew D. Hoffman as a Member of the Historic Advisory Board." Adopted.

Councilmember Matarrese moved adoption of the resolutions.

Vice Mayor deHaan seconded the motion, which carried by unanimous voice vote - 5.

The City Clerk administered the Oath of Office and presented certificates of appointment to Mr. McKean, Mr. Reeves, and Mr. Hoffman.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(09-345) Presentation on the fiscal year 2008-2009 Façade Assistance Program.

The Economic Development Director gave a brief presentation.

Mayor Johnson inquired what percentage of funding comes from private sources, to which the Economic Development Director responded the percentage varies and depends upon the situation.

(09-345) Presentation by East Bay Regional Park District (EBRPD) on Measure WW.

Doug Siden, EBRPD Board of Directors; Dave Collins, EBRPD Assistant General Manager Finance and Administration; and Jeff Rasmussen, EBRPD Grants Manager, gave a brief presentation.

Mayor Johnson inquired whether or not Mr. Collins could say whether the Boys & Girls Club would be eligible [for Measure WW funding].

Mr. Collins responded the City using a non-profit for a project would not violate the terms of Measure WW funding.

Mayor Johnson inquired whether or not Mr. Collins could say whether the project would be approved.

Mr. Collins responded that he cannot say because a full application has not been submitted and California Environmental Quality Act (CEQA) requirements have not been addressed; stated EBRPD is not in a position to accept applications at this point; applications are accepted in February and March of each year; \$29 million of the \$33 million in applications received this year were accepted.

Mayor Johnson inquired whether Mr. Collins would know [whether or not the project would be approved] by the end of May, to which Mr. Collins responded in the affirmative.

Councilmember Gilmore inquired whether an application for a joint project with the City would fall within the universe of approved applications.

Mr. Rasmussen responded in the affirmative; stated EBRPD would not have a relationship with the City's agent.

Councilmember Gilmore inquired whether the project would not be automatically excluded if the City contracts with a non-profit, to which Mr. Rasmussen responded in the affirmative.

Councilmember Tam stated the City would submit an application on behalf of the Boys & Girls Club; inquired whether the application would not be in violation of Measure WW terms; further inquired whether the application would have no guarantee of approval next year but would be eligible for submittal.

Mr. Rasmussen responded the project needs to be consistent with Measure WW; stated a formal decision has not been made on the Boys & Girls Club project but it seems to be consistent with the guidelines.

Mr. Collins stated the proposal, as heard, appears to be consistent

with Measure WW; a legally binding contract could not be provided until completion of a full review next year.

Mr. Rasmussen stated the number one question asked right now from other cities is whether projects are consistent with Measure WW.

Mayor Johnson stated knowing what can and cannot be done is important; that she has heard that there is more certainty about the project funding.

Vice Mayor deHaan inquired whether the City would have to control and manage the project.

Mr. Rasmussen responded control and management would be the City's fiduciary responsibility.

Mr. Collins stated EBRPD would enter into a contract with the City and would look to the City to provide assurances that the project would be properly constructed.

Vice Mayor deHaan inquired whether EBRPD would require the City to manage the project.

Mr. Collins responded EBRPD would require the City to be the project administrator; stated EBRPD would be satisfied if the City elected to retain an agent to fulfill the requirements.

Vice Mayor deHaan inquired whether the City would be required to comply with requirements imposed on projects that received public money, to which Mr. Collins responded in the affirmative.

Mayor Johnson inquired whether the facility would have operating requirements.

Mr. Rasmussen responded the facility would need to be available for public use; stated school use after school hours would not be allowed.

Mayor Johnson requested an explanation of school use.

Mr. Rasmussen stated the facility would need to be available to the public after 3:30 p.m. on week days and all day on Saturdays.

Mayor Johnson inquired whether the City would have on-going obligations.

Mr. Rasmussen responded that he assumes operation would be turned over to the Boys & Girls Club; stated EBRPD would have to review

operation details.

Mr. Collins stated the bond is for a twenty-five year period; the City would be obligated to ensure public use during the twenty-five year period; the City would have to have an agreement with the Boys & Girls Club for continued oversight.

Councilmember Matarrese inquired whether EBRPD has had any applications or projects where money was provided to a private entity through EBRPD, a City, or special park district; further inquired whether \$2 million in Measure WW funds would require \$2 million in public equity.

Mr. Collins responded Measure WW is very similar to Measure AA; stated if \$4 million comes from one source and \$2 million comes from Measure WW, one third of the use would have to be public use; funds would have a private business use restriction; EBRPD has not provided funds to private entities because of potentially violating the tax exempt nature of the bonds.

Councilmember Matarrese questioned whether anything similar to what is being proposed was ever done in all the years of Measure AA.

Mr. Collins noted non-profits are not private entities.

Councilmember Matarrese inquired whether EBRPD has any experience with having an entity other than a public entity listed on the deed, to which Mr. Collins responded that he would need to check.

The Interim City Manager stated everyone is struggling with whether or not the project meets the IRS rule for private activity bonds; the test is two fold: 1) who owns the asset, and 2) the amount of use; bond counsel's opinion is vital.

Councilmember Tam inquired whether a Joint Use Agreement would meet the criteria.

Mr. Collins responded in the affirmative; stated EBRPD is modeled after the State Grant Program.

Mayor Johnson inquired how the final determination [for approval] is made, to which Mr. Collins responded the [EBRPD] Board appropriates funding based on confirmation of completed applications.

Vice Mayor deHaan inquired whether Measure WW requires that a project be completed.

Mr. Rasmussen responded scoping the project has some flexibility; stated a project needs to build something of a capital nature.

Councilmember Gilmore inquired when bond counsel's opinion would be received, to which Mr. Collins responded a few days to a week.

Mayor Johnson called the public speakers.

Proponents (In support of using funds for Boys & Girls Club): Karen Bay, Alameda.

Opponents (Not in support of using funds for Boys & Girls Club): Mike Cooper, Recreation and Park Commission; Jean Sweeney, Alameda (submitted document); former Councilmember Barbara Kerr, Alameda; Helena Lankel, Alameda; Rebecca Redfield, Alameda; Gretchen Lipow, Alameda; Debra Arbuckel, Alameda; Red Wetherill, Alameda; and Rosemary McNally, Alameda.

Vice Mayor deHaan requested clarification on private versus non-profit organizations.

The Interim City Manager responded the IRS code has specific definitions; stated IRS regulations for private activity bonds are very grey.

Vice Mayor deHaan inquired whether other [non-profit] organizations have asked for funding, to which the Interim City Manager responded the Miracle League has raised the issue.

Vice Mayor deHaan inquired whether the Beltline property, Estuary Park, and northern waterfront were discussed.

The Recreation and Park Director responded Estuary Park and the Beltline property are on the Recreation and Park Commission November 2008 list.

Mayor Johnson inquired whether other non-profits were considered, to which the Recreation and Park Director responded none were considered at that time.

CONSENT CALENDAR

Mayor Johnson announced that the Quarterly Sales Tax Report [paragraph no. 09-349] was removed from the Consent Calendar for discussion.

Vice Mayor deHaan moved approval of the remainder of the Consent Calendar.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5. [An asterisk preceding the paragraph number indicates Items so enacted or adopted.]

(*09-347) Minutes of the Regular City Council Meeting held on September 1, 2009. Approved.

(*09-348) Ratified bills in the amount of \$9,772,654.72.

(09-349) Recommendation to Accept the Quarterly Sales Tax Report for the Period Ending March 31, 2009.

Vice Mayor deHaan stated Alameda and Albany are the only two Alameda County cities that have positive sales tax growth; sales tax increased for the business-to-business segment; the automobile segment has lost major sales tax revenue; other areas have stabilized.

Vice Mayor deHaan moved approval of the staff recommendation.

Councilmember Tam seconded the motion.

Under discussion, Councilmember Tam stated every area, with the exception of Harbor Bay Business Park, lost sales tax revenue; the north of Lincoln Avenue area had a -62.2% change because of the auto dealership loss; Alameda is ranked next to last [in sales tax revenue] in Alameda County cities.

Mayor Johnson stated there is a lot of room for improvement.

On the call for the question, the motion carried by unanimous voice vote - 5.

(*09-350) Recommendation to Accept the Alameda Fleet Industrial Supply Center/East Housing Residential Phase II Infrastructure Improvements for Interim Emergency and Vehicle Access to the Storm Water Treatment Pump Station and for the Storm Drain Outfall Project and Authorize the City Clerk to Record Notices of Completion for the Improvements. Accepted.

(*09-351) Recommendation to Adopt Specifications and Provisions for Tow Contract for Vehicles Identified as Abandoned by the Police Department. Accepted.

(*09-352) Recommendation to Adopt Plans and Specifications and Authorize Call for Bids After Receipt of the State Water Resources Control Board Approval Letter for the Installation of Mechanical

Trash Racks at Storm water Pump Stations, No. P.W. 08-09-23. Accepted.

(*09-353) Recommendation to Adopt Plans and Specifications and Authorize Call for Bids After Receipt of the State Water Resources Control Board Approval Letter for the Rehabilitation of the Structural Stability of Approximately 3,000 Linear Feet of the Southshore Lagoon Seawalls Adjacent to City Streets, No. P.W. 08-09-24. Accepted.

(*09-354) Recommendation to Award a Contract in the Amount of \$221,136, to J.J. R Construction, Inc. for Repair of Portland Cement Concrete Sidewalk, Curb, Gutter, Driveway, and Minor Street Patching, Fiscal Year 2009-2010, Phase 10, No. P.W. 06-09-15. Accepted.

(*09-355) Recommendation to Accept the Work of Golden Bay Construction, Inc. for Repair of Portland Cement Concrete Sidewalk, Curb, Gutter, Driveway, and Minor Street Patching, Fiscal Year 2008-2009, Phase 9, No. P.W. 05-08-13. Accepted.

(*09-356) Recommendation to Adopt a Revised Proposition 1B Local Streets and Roads Funding Proposal for Fiscal Year 2008-2009 to the State Department of Finance, and Appropriate \$425,000 in Proposition 1B and \$54,000 in Sewer Funds for Additional Work Under the Pavement Management Program, Phase 29, and Authorize the Interim City Manager to Execute All Necessary Documents. Accepted.

(*09-357) Introduction of Ordinance Amending the Alameda Municipal Code by Adding Section 59 at Article IV to Chapter II Pertaining to Contracts in Writing. Introduced.

(*09-358) Ordinance No. 3000, "Amending Ordinance No. 1277, N.S. to Rezone Approximately .23 Acres Located at 3236 and 3238 Briggs Avenue, APN 069 007604601, From R-4, Neighborhood Residential Zoning District, to R-4, PD Neighborhood Residential Planning Development District Zoning Designation." Finally passed.

CITY MANAGER COMMUNICATIONS

(*09-359) Telephone Contract Update. Continued.

(*09-360) Council Referral Policy. Addressed under Boy's & Girls Club. The Interim City Manager addressed the Council Referral Policy as part of the Boys & Girls Club Request for Funding discussion. [paragraph no. 09-361]

(*09-361) Boys & Girls Club Request for Funding.

The Interim City Manager provided a handout and gave a brief presentation.

Vice Mayor deHaan inquired whether firm bids have been received.

Rich Sherrat, Boys & Girls Club, responded Nibby Construction submitted a firm bid.

Vice Mayor deHaan inquired how \$700,000 in annual operating funds is generated.

Mr. Sherrat responded funds are generated through fundraising, grants, general sponsorships, the annual auction, and a variety of other means.

In response to Vice Mayor deHaan further inquiry, Mr. Sherrat stated California State University East Bay has dedicated interns to work at the facility; in-kind work significantly reduces operation costs.

Mayor Johnson inquired how much is raised for operations annually, to which Mr. Sherrat responded approximately \$500,000.

Mayor Johnson inquired whether \$8,198,867 is the construction cost, to which Mr. Sherrat responded in the affirmative.

Mayor Johnson inquired how the facility would be available to the public.

Mr. Sherrat responded the Boys & Girls Club has always participated in joint programs; stated the School District would have the option to use the facility; the facility would be a community facility.

Mayor Johnson inquired whether adult leagues would have access to the facility, to which Mr. Sherrat responded absolutely.

Mayor Johnson inquired whether the public would not have any restrictions after 3:30 p.m.

Mr. Sherrat responded adults could not just walk in and start playing; stated everyone has to be screened by the Police Department; adult basketball would be available in the evenings when children are not at the facility; the facility would provide a health clinic; structured programs would be available to the general public; no child would be turned away.

George Phillips, Boys & Girls Club, stated all programs, including

the Recreation and Park programs, are age restricted; the facility would not be like a park that someone could walk through.

Councilmember Tam stated there could be some duplication between the Boys & Girls Club and Recreation and Park Department; inquired whether the facility would be an expansion of capacity for the City and would fill a gap.

Mr. Sherrat responded the Boys & Girls Club is the only program available for children in the evening; stated very few programs are offered to teenagers or middle school aged children; many programs are outsourced, such as tumbling and karate; a Tiny Tot program could be done at the facility.

Councilmember Gilmore stated the Recreation and Park Department has wonderful programs that require fees; inquired whether the Boys & Girls Club programs are fee based.

Mr. Sherrat responded 99% of the programs are part covered under operational expenses; stated scholarship opportunities are available for those who cannot afford to pay a fee; the membership fee is \$20 per year.

Vice Mayor deHaan inquired whether Chipman Middle School has a gym, to which Mr. Sherrat responded the school has a multi-purpose room.

Vice Mayor deHaan inquired whether the Boys & Girls Club has satellite facilities.

Mr. Sherrat responded in the affirmative; stated field trips are also provided.

Mayor Johnson called the public speakers.

Proponents (In support of using funds for Boys & Girls Club): George Phillips, Boys & Girls Club; Duke Campbell, Alameda; and Judge Robert McGuiness, Alameda.

Opponents (Not in support of using funds for Boys & Girls Club): Jo Kahuanui, Recreation and Park Commission; Dorothy Freeman, Alameda; Joseph Woodard, Alameda; Jean Sweeney, Alameda; Rebecca Redfield, Estuary Park Action Committee; former Councilmember Barbara Kerr, Alameda; Helena Lenkel, Alameda; Roberta Rockwell, Alameda; Debra Arbuckle, Alameda.

Neutral: Michael John Torrey, Alameda.

Following Mr. Phillips comments, Vice Mayor deHaan inquired about

the funding timeline.

Mr. Sherratt responded the funding requires that the shovel be in the ground by the end of the year; that he does not want to go back and ask for an extension again; the designated building fund is restricted; the Boys & Girls Club has interim financing to bridge the gap; Measure WW funds would not need to be drawn upon until May.

Vice Mayor deHaan inquired what would happen if funding does not materialize.

Mr. Sherratt responded the project would not go forward unless Council commits to supporting the application.

Vice Mayor deHaan inquired whether the Boys & Girls Club has a fall back position.

Mr. Sherratt responded the Boys & Girls Club would only move forward with a commitment from the City.

Vice Mayor deHaan inquired what would happen if less than a \$2 million commitment is made.

Mr. Sherratt responded most likely, the Boys & Girls Club would not be able to move forward.

Mayor Johnson inquired whether money could be taken from the [Boys & Girls Club] endowment.

Mr. Sherratt responded having funds available for on-going operations is critical.

Vice Mayor deHaan stated losing 65% in [Measure WW] funding in one shot is concerning; projects would have to be funded by a different source such as the General Fund, which is in a weak position.

Mr. Sherratt questioned whether resurfacing the Washington Park tennis courts would cost \$350,000; stated the Harbor Bay tennis courts were resurfaced for \$17,000 and \$20,000; the Woodstock Park Recreation Center renovation project would not need to be done if the new [Boys & Girls Club] facility is available.

Vice Mayor deHaan stated the list needs to be revisited; the model in place for the past fifteen years has been fee-type recreation.

Mr. Sherratt stated Little League, the soccer program, and Alameda Youth Basketball are run by non-profits on City facilities.

Following Mr. Woodward's comments, the Interim City Manager stated the City would have no obligation to float the cash; the Boys & Girls Club would bear the risk if the \$2 million were not approved; the application has a good chance of success.

After the public comment, the Interim City Manager stated with respect to the Council Referral policy, standard operation has been that a vote of three Councilmembers refers the item to staff; however, the original policy included that Council has an opportunity to take an action on a Council Referral; unfortunately, the Boys & Girls Club item went through the referral process under the old process, so staff will come forward with an action item to amend the priority list on October 6 as long as EBRPD bond counsel's opinion about eligibility under the tax exempt status is received.

Mayor Johnson inquired who would own the property, to which the Interim City Manager responded the non-profit.

Councilmember Matarrese stated programs are not the issue; the policy question is how to use money generated by a tax assessment; the exact wording of the ballot measure should be included as an attachment [on October 6]; taking money away from one of the projects recommended by the Recreation and Park Commission would result in projects not getting done; \$500,000 allocated for the Woodstock Recreation Center renovation could be used for the Boys & Girls Club project if the City would have the same access in perpetuity; the Alameda Point gym belongs to the Navy and project funds should be generated from lease revenues; the IRS tax issue may make the proposed project moot.

Councilmember Tam stated the Recreation and Park Commission discussed eleven projects; that she would like to have a matrix noting whether projects are shovel ready and whether money would be taken from a project; the City has funding to acquire the Beltline Property; questioned whether the project is shovel ready; stated that she is trying to understand how Measure WW funds are applied to projects.

Mayor Johnson inquired what is the life of Measure WW, to which Mr. Rasmussen responded spending the money, would need to be spent in ten years.

Vice Mayor deHaan inquired how much money the City has provided for the Boys & Girls Club, to which the Interim City Manager responded approximately \$220,000 for design.

The Economic Development Director stated approximately \$230,000 for construction would come from the Community Development Block Grant program this fall.

Vice Mayor deHaan inquired whether EBRPD would provide information about whether similar projects have been done in the past, to which Mr. Collins responded in the affirmative.

Vice Mayor deHaan inquired the question about the life of the agreement and reverting back to the Boys & Girls Club after thirty years needed to be addressed on October 6.

Councilmember Gilmore responded that she asked about public access being required for twenty-five years; stated that her question is whether programs with age restrictions are still constituted as public.

Mayor Johnson stated that she would like more information on the operating budget; perhaps the agreement could be structured to have a portion of the gym belong to the City; the Alameda Point gym is an asset that the City should keep.

Councilmember Gilmore stated that she does not feel a process has been defined as to who could apply for funds; inquired whether non-profits were informed and whether the Recreation and Park Commission meetings were publicized; stated a process needs to be established; that she does not want to punish the Boys & Girls Club [for requesting funds].

The Recreation and Park Director responded staff keeps a list of projects; input is received from the community and sports leagues; the Recreation and Park Commission reviews and ranks the list which is then forwarded to Council for final approval; non-profits were not specifically recruited.

Councilmember Matarrese stated the same process was followed for years under Measure AA.

Vice Mayor deHaan inquired when was the last Measure AA draw, to which the Recreation and Park Director responded four to five years ago.

Vice Mayor deHaan stated the Alameda Point gym is unique; having improvements paid by the developer would be nice.

The Recreation and Park Director stated money generated from fees has been put into improvements.

Vice Mayor deHaan inquired whether or not the indoor pool would be opened again, to which the Recreation and Park Director responded rehabilitation costs would be more than the cost of a new facility.

Vice Mayor deHaan stated the City has made a commitment to the Miracle League; that he would like to have the Miracle League included in the discussion.

Mayor Johnson stated the list needs to be reviewed; a price needs to be placed on the projects; parks cannot be let go; the Boys & Girls Club project is not the type of project that voters had in mind when voting on Measure WW; a long-term impact could be that future EBRPD bond measures might be a hard sell.

Councilmember Matarrese stated the Measure AA process needs to be evaluated because Measure AA delivered what was expected.

Mayor Johnson recessed the meeting at 10:50 p.m. and reconvened the regular meeting at 11:20 p.m.

REGULAR AGENDA ITEMS

(09-362) Public Hearing to Consider Introduction of Ordinance Amending the Alameda Municipal Code by Amending Subsection 30-5.14 (Barriers and Fences) of Article I (Zoning Districts and Regulations) of Chapter XXX (Development Regulations) by Adding Subsection 30-5.14 (e) to Require Administrative Use Permits in Non-Residential Districts for Temporary or Permanent Barriers or Fences Within a Required Setback or Along a Property Line that Faces a Public Street or a Public Access Easement. Applicant: City of Alameda. Continued.

(09-363) Public Hearing to Consider Introduction of Ordinances Amending Ordinance No. 1277, N.S. to Rezone Approximately: 4.7 Acres Located at 1 Singleton Avenue, APN 074-0905-010-01, from M-2-PD, General Industrial (Manufacturing) Planned Development District, to R-4-PD, Neighborhood Residential Planned Development District Zoning Designation; 5 Acres Located at 2189 and 2201 Clement Avenue, APNs 071-0289-007-03 and 074-0289-004-00, from M-2, General Development Residence District, to R-2-PD, Two-Family Planned Development District Zoning Designation; 4.14 Acres Located at 2015/2025 Grand Street, APN 072-0381-002-00 and 072-0381-001-00, from M-2, General Industrial (Manufacturing) District to R-4-PD, Neighborhood Residential Planned Development District; 2.78 Acres Located at 2100 Clement Avenue/1924 Willow Street, APN 071-0228-001-02 from M-1, Intermediate Industrial (Manufacturing) District

to R-2-PD, Two Family Residence Planned Development District Zoning Regulation; 1.9 Acres Located at 1913 Sherman Street, APN 074-0906-031-08, from M-1-PD, Intermediate Industrial (Manufacturing) Planned Development District to R-2-PD, Two Family Residence Planned Development District Zoning Designation; 2.1 Acres 1590/1616 Fortmann Way, APN 072-0381-018-00, from M-2, General Industrial (Manufacturing) District to R-4-PD, Neighborhood Residential Planned Development District Zoning Designation to Bring Zoning Designations for Six Properties into Conformance with the General Plan and Housing Element. Applicant: City of Alameda.

The Planning Services Manager gave a brief presentation.

Mayor Johnson opened the public portion of the hearing.

Speakers: Tom Dailey, owner of 1913 Sherman Street; former Councilmember Barbara Kerr, Alameda.

There being no further speakers, Mayor Johnson closed the public portion of the hearing.

Following Mr. Dailey's comments, the Planning Services Manager stated the self storage use at 1913 Sherman Street would be considered a legal, non-conforming use as long as the property is not vacant for more than a year and not more than 75% is destroyed in the event of a fire or act of nature.

In response to Mr. Dailey's inquiry, the City Attorney stated the Planning Services Manager's explanation is correct.

Following former Councilmember Kerr's comments, Mayor Johnson inquired whether staff is in agreement that the Beltline Property outline is incorrect and that the Sherman Street entrance was decided by the Northern Waterfront Specific Plan Committee.

The Planning Services Manager responded in the affirmative; stated the map would be corrected for the second reading of the ordinance.

Vice Mayor deHaan moved introduction of the ordinances.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(09-364) Recommendation to Accept the Report of the Economic Development Commission's Business Retention Subcommittee. Continued.

(09-365) Recommendation to Accept the Estuary Crossing Feasibility

Study.

The Public Works Director gave a brief presentation.

John Eddy, Arup Americas Inc., gave a Power Point presentation.

Councilmember Tam inquired whether any thought has been given to re-working the ferry system with the Water Emergency Transit Authority (WETA) rather than building a whole new system, to which the Public Works Director responded WETA was not interested.

Mr. Eddy stated re-working the system would not be cheap; WETA boats and facilities move people on and off the ferry differently; facilities would need to be modified in order to use a water taxi service.

Councilmember Tam stated a fifteen minute headway would have a cost; the ferry system increased frequency and reduced headway to almost half an hour when BART was on strike and the Bay Bridge was closed; inquired whether costs were significant.

Mr. Eddy responded some boats were redeployed or borrowed; stated Alameda and Oakland would bear the incremental costs of adding a stop while maintaining the same level of service at other locations; costs would be significant.

Vice Mayor deHaan inquired whether the Posey Tube modification option would have a good funding stream.

Mr. Eddy responded possibly; stated there is a process for modifying a CalTrans facility.

Vice Mayor deHaan stated the Posey tube modification would need to be done regardless.

The Public Works Director stated CalTrans sat on the policy advisory committee; the first step would be to get concurrence from CalTrans that the project is important; the next step would be to pursue funding.

Vice Mayor deHaan inquired whether staff considered having one-way pedestrian and bike access in the Webster Street Tube.

The Supervising Civil Engineer responded there would be issues with the Oakland end connectivity.

Vice Mayor deHaan stated the alternative is one of the cheapest.

The Supervising Civil Engineer stated the public did not support the idea.

Councilmember Matarrese stated the study's value is in seeing what items cost; that he is impressed with the graphics of the removable bridge; more people are utilizing bike racks on buses; additional bike racks could be a cheap solution and would be less expensive than a water taxi; the issue is a reality check more than anything else and forces everyone to look at something more practical.

Councilmember Tam moved approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(09-366) Consideration of Mayor's nomination for appointment to the Housing Commission.

Mayor Johnson nominated Cullen Jones for appointment to the Housing Commission.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the meeting at 11:49 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL AND
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING
TUESDAY- -SEPTEMBER 15, 2009- -7:31 P.M.

Mayor/Chair Johnson convened the joint meeting at 11:49 p.m.

ROLL CALL - Present: Councilmembers/Commissioners deHaan,
Gilmore, Matarrese, Tam, and Mayor/Chair
Johnson - 5.

Absent: None.

CONSENT CALENDAR

Councilmember/Commissioner Matarrese moved approval of the Consent Calendar.

Councilmember/Commissioner Tam seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*09-367 CC/*09-33 CIC) Minutes of the Special Joint City Council, Alameda Reuse and Redevelopment Authority and CIC Meeting, and the Special CIC Meeting held on September 1, 2009. Approved.

(*09-34 CIC) Recommendation to Award a Contract in the Amount of \$171,414 to Moreno Trenching, Ltd. for Park Street and Buena Vista Avenue Utility Undergrounding. Accepted.

AGENDA ITEMS

(09-368 CC) Public Hearing to Consider Introduction of Ordinance Amending Municipal Code by Adding Subsection 30-17 (Density Bonus Regulations) to Article I (Zoning Districts and Regulations) of Chapter XXX (Development Regulations) to Allow Density Bonus Units and Incentives or Concessions to Developers that Voluntarily Provide for Affordable Housing Units as an Element of Their Residential Development Project; and

(09-35 CIC) Adoption of Resolution Amending Resolution No. 04-127 to Reduce the Inclusionary Unit Requirement Policy for Residential Developments in the Business and Waterfront and West End Community Improvement Project Areas from at Least 25% to at Least 15%. Continued.

ADJOURNMENT

There being no further business, Mayor/Chair Johnson adjourned the joint meeting at 11:50 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.